

The Saskatchewan
Legal Aid Commission presents...

LegalAid

SASKATCHEWAN

Annual Report 2008-2009

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SASKATCHEWAN

Annual Report 2008-2009

Table of Contents

Table of Contents	2
Organizational Profile and Mandate	3
Message from the Chief Executive Officer	6
Members of the Commission	7
Organizational Structure	8
Offices of Legal Aid Saskatchewan	9
Measures of Successes	10
Statistical Summaries	16
Caseload by Area Office 2008-09	17
Financial Overview	18
Audited Statements	20
Glossary of Terms	31

Organizational Profile and Mandate

Mission

We promote access to justice for eligible persons through the provision of quality legal assistance.

Vision

The Saskatchewan Legal Aid Commission will be an innovative, collaborative legal aid system that responds to the needs of low income persons.

Legislative Mandate

The *Legal Aid Act* and *The Legal Aid Regulations* provide the legislative mandate for The Saskatchewan Legal Aid Commission.

Existing since 1974, The Saskatchewan Legal Aid Commission provides legal services to persons and organizations for criminal and civil matters where those persons and organizations are financially unable to secure these services from their own resources.

Staff Profile

The Saskatchewan Plan uses a salaried staff delivery model for most of its applicants (90% of its cases in 2008/09). At March 31, 2009, Legal Aid had 160 staff positions located in 15 offices throughout the province.

Legal Aid is a unionized environment with approximately 85% of the staff represented by CUPE Local 1949.

Legal Aid has many long service employees with 42 (approx. 26%) of the staff employed with the organization for over 25 years.

The employment equity profile for Legal Aid breaks down as follows: 11.8% of our staff have self-declared as Aboriginal, 7.7% of our staff are persons with disabilities, and 1.2% of our staff are visible minorities. As well, 33.3% of our management team are women.

Eligibility

Applicants are financially eligible for services if:

- they are receiving income from Social Assistance; or
- their financial resources are at Social Assistance levels; or
- the costs of obtaining the services from a private lawyer would reduce their financial resources to Social Assistance levels.

To illustrate with a couple of examples, in 2008-2009, financially eligible persons included single people making less than \$12,000 (net) per year and families with four children with incomes less than \$23,000 (net) per year.

Service

Legal services are provided to financially eligible applicants if the service requested falls within the range of services provided by The Saskatchewan Legal Aid Commission, and if the matter has professional merit. Services are provided in Federal Criminal matters (adult and youth), and family law.

Immediate advice, although temporary, despite financial status is available to those arrested or detained.

Summary advice and information may be provided to anyone about a wide range of matters if they involve no more than a brief interview or telephone call.

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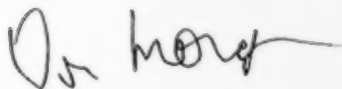


His Honour
The Honourable Gordon Barnhart
Lieutenant Governor of the
Province of Saskatchewan

May It Please Your Honour:

I have the pleasure to transmit to your Honour the Annual Report of The Saskatchewan Legal Aid Commission for the year ending March 31, 2009.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Don Morgan".

Don Morgan, Q.C.
Minister of Justice and Attorney General

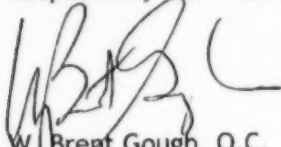


THE HONOURABLE DON MORGAN, Q.C.
MINISTER OF JUSTICE AND ATTORNEY GENERAL
PROVINCE OF SASKATCHEWAN

Dear Mr. Morgan:

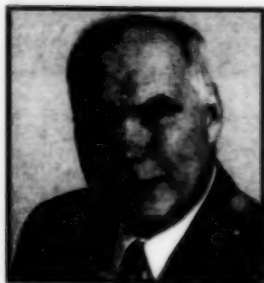
It is my pleasure to forward to you the Annual Report of The Saskatchewan Legal Aid Commission according to *The Legal Aid Act*, depicting the affairs of the Commission in the 2008-2009 fiscal year.

Respectfully submitted,



W. Brent Gough, Q.C.
Chairperson

Message from the Chief Executive Officer



If anyone were asked to characterize the last year in a few words, "fiscal restraint" would probably be among the top ones chosen. With the downfall of some of the most stable institutions in the world and the erosion of personal worth, spending slowed and more thought than ever has been given to what spending is really important. I'm pleased to say that Legal Aid has been seen as important by a number of our partners. The Government has seen our importance and has provided us with status quo funding where many departments were asked to make cuts. The Law Foundation of Saskatchewan has seen our importance and has dedicated over half a million dollars to undertake major projects to enhance and expand our services. The Courts have seen our importance and asked us to expand our Regulations because they believe we can run a more cost-effective court-appointed counsel system for youth.

Our value is seen because we have experience in a culture of fiscal restraint. While others may be new to the concept, Legal Aid has played a constant game of fiscal tight-rope walking, one that has made us particularly efficient and effective. We know that a reality of Legal Aid Saskatchewan is that there will almost certainly never be enough money, enough private bar lawyers, enough staff lawyers, or enough support staff to completely meet the demand for Legal Aid services. We know that we can't help everyone but we are always looking for ways to do that much more.

We try to see more clients and be more efficient in how we represent and assist them. We have made good use of what we have and we keep looking for ways to do it even better. So, when we look back over the year just ended, we look not just at the numbers served and dollars spent, but at what we have done differently to try to close the gap between what we can do and what we strive to do.

Here are some of our accomplishments over this last year.

1. We assumed responsibility for all youth charged under the *Youth Criminal Justice Act* regardless of financial eligibility. This is a very major undertaking for Legal Aid and one which has progressed remarkably smoothly. With financial assistance from the Ministry of Justice we have been able to simplify the process for representing youth in Section 25 situations by eliminating what had become a de facto parallel legal aid system administered by court services.

2. We adopted and have made significant progress in implementing a five-year strategic plan. The most important aspect of this plan is its emphasis on making Legal Aid Saskatchewan more client-centric. The staff, who contributed to the creation of the Plan, were and are determined to enhance the ability of Legal Aid to serve its clients.

3. Due to a generous grant from the Law Foundation, we have undertaken a long overdue update of our Case Management System. Our present system, while providing basic data management and necessary statistics, is effectively obsolete. The new system will incorporate features which have been identified by staff as being useful as well as increasing the size, speed and functionality of the database.

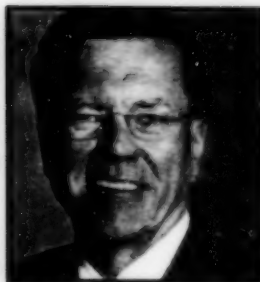
4. Our staff are exceedingly loyal to Legal Aid. Many have worked here for in excess of twenty years. The corollary of this is that many are going to be retiring in the next few years. We must look to the future. As a result, we have decided to budget for two articling students annually, with a view to introducing young lawyers to Legal Aid and showing them the rewards of working in a social service environment. While we are limited in the number of permanent jobs we can offer, experience has shown that we can often find a way to keep the best and the brightest.

I have often noted that our function at Central Office is to ensure that the staff in area offices have the tools they need to do the actual work of Legal Aid – legal service to clients. That they do this very well indeed is reinforced constantly through the comments of the judges, prosecutors and clients. The Central Office staff too perform exceptionally well, and what is a large complex operation runs deceptively smoothly through their efforts. To all of them, lawyers, legal assistants, support staff and the management team, I express my thanks. You serve the Province and your community well.

A handwritten signature in dark ink, appearing to read "Allan T. Snell".

Allan T. Snell, Q.C.
Chief Executive Officer

Members of the Commission



1. W. Brent GOUGH, Q.C., Chair
Saskatoon
Appointed by Lieutenant Governor in Council

2. Robert KENNEDY, Q.C., Vice Chair
Saskatoon
Appointed by Law Society of Saskatchewan



3. Ken ACTON, Regina
Appointed by Minister of Justice

4. Victor DIETZ, Q.C., Regina
Appointed by Law Society of Saskatchewan

5. Orlo DREWITZ, Saskatoon
Appointed by Lieutenant Governor in Council

6. Michael DUNPHY, Saskatoon
Appointed by Minister of Social Services



7. Dexter KINEQUON, La Ronge
Appointed by Lieutenant Governor in Council
(to Feb. 09)

8. Wendy LEMAIGRE, Buffalo Narrows
Appointed by Lieutenant Governor in Council

9. Alma WIEBE, Q.C., Saskatoon
Appointed by Lieutenant Governor in Council



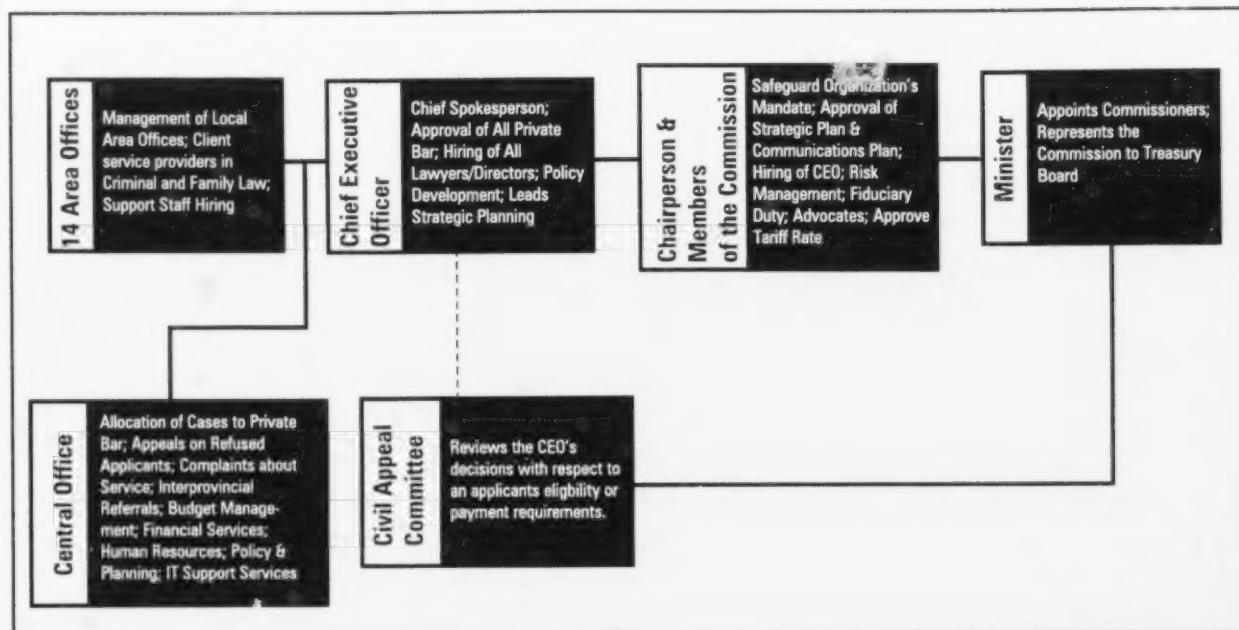
10. Shirley WOLFE-KELLER, Invermay
Appointed by Lieutenant Governor in Council

11. Gary EAGLE, Saskatoon
Appointed by Lieutenant Governor in Council
(from Feb. 09)

Members from April 1st, 2008
to March 31st, 2009

The Legal Aid Act provides for the appointment of ten members – two appointed by the Law Society of Saskatchewan, six members appointed by the Lieutenant Governor in Council, one member who is an employee of the Ministry of Justice appointed by the Minister of Justice, and one member who is an employee of the Ministry of Social Services appointed by the Minister of Social Services.

Organizational Structure



Management Team

Allan Snell, Q.C.
Chief Executive Officer

Jerome Boyko
Director of Finance

Julian Demkiw
Director of Planning & Administration

Dona Jones
Director of Human Resources

David Andrews, Q.C.
Director, Regina Rural Area Office

David Bright
Director, Yorkton Area Office

George Combe
Director, Saskatoon City Criminal Legal Aid Area Office

Pamela Cuelenaere, Q.C.
Director, Prince Albert Area Office

Kimberly Earing
Director, Northern Area Office

Janice Lawrence, Q.C.
Director, The Battlefords Area Office

Adrian McBride
Director, Swift Current Area Office

Donald Mullord, Q.C.
Director, Saskatoon Rural Area Office

Rosanne Newman
Director, Meadow Lake Area Office

Michael Ryan, Q.C.
Director, Regina City Area Office

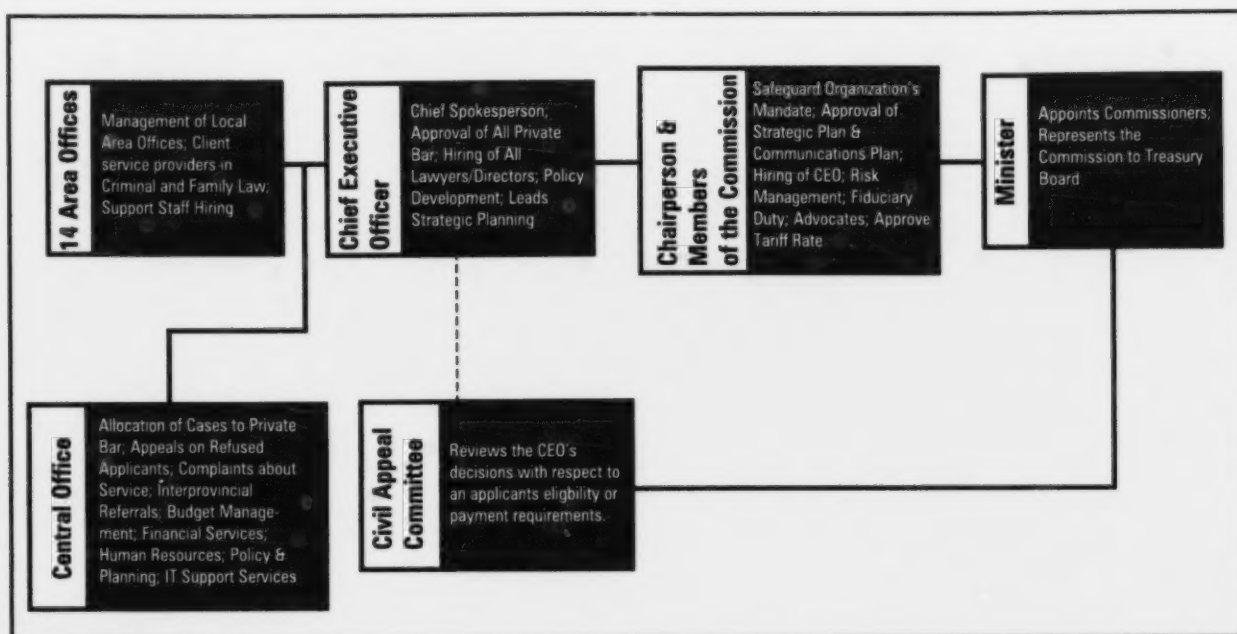
Mervyn Shaw, Q.C.
Director, Moose Jaw Area Office

Kelly Soder
Director, Saskatoon City Family Legal Aid Area Office

James Struthers, Q.C.
Director, South East Area Office

Barry Treacy, Q.C.
Director, Melfort Area Office

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Kelly Soder
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James Struthers, Q.C.
Director, South East Area Office

Barry Treacy, Q.C.
Director, Melfort Area Office

Offices of Legal Aid Saskatchewan

Central Office

#502 - 201 21st Street East
SASKATOON SK S7K 2H6
Phone 933-5300 FAX 933-6764
Toll Free: 1-800-667-3764
E-Mail: central@legalaid.sk.ca
Chief Executive Officer: Allan T. Snell, Q.C.

Saskatoon City Criminal Legal Aid Area Office

#1053 - Sturdy Stone Centre
122 Third Avenue North
SASKATOON SK S7K 2H6
Phone 933-7820 FAX 933-7827
Toll Free: 1-877-424-1898
Legal Director: George Combe

Meadow Lake Area Office

Unit #3, 101 Railway Place
MEADOW LAKE SK S9X 1X6
Phone 236-7636 FAX 236-7634
Toll Free: 1-800-461-8188
Legal Director: Rosanne Newman

Prince Albert Area Office

Box 3003, 11th Floor, McIntosh Mall
800 Central Avenue
PRINCE ALBERT SK S6V 6G1
Phone 953-2850 FAX 953-2866
Toll Free: 1-877-424-1900
Legal Director: Pamela Cuelenaere, Q.C.

Northern Area Office

Box 5000
Mistassinik Place, 1328 La Ronge Avenue
LA RONGE SK S0J 1L0
Phone 425-4455 FAX 425-4472
Toll Free: 1-800-667-4095
Legal Director: Kimberly Earing

South East Area Office

Main Floor, 1302 3rd Street
ESTEVAN SK S4A 2V6
Phone 637-4620 FAX 637-4625
Toll Free: 1-877-424-1903
Legal Director: James Struthers, Q.C.

South East Area Office

(Sub-office address):
Box 2003, 110 Souris Avenue
WEYBURN SK S4H 2Z9
Phone 848-2341 FAX 848-2562
Toll Free: 1-877-424-1907

Swift Current Area Office

3rd Floor, 350 Cheadle Street West
SWIFT CURRENT SK S9H 4G3
Phone 778-8272 FAX 778-8307
Toll Free: 1-877-424-1905
Legal Director: Adrian McBride

Regina City Area Office

#200 - 1942 Hamilton Street
REGINA SK S4P 2C5
Phone 787-8760 FAX 787-8827
Toll Free: 1-877-424-1897
Legal Director: Michael Ryan, Q.C.

Saskatoon Rural Area Office

#941 - Sturdy Stone Centre
122 Third Avenue North
SASKATOON SK S7K 2H6
Phone 933-7855 FAX 933-7854
Toll Free: 1-877-424-1899
Legal Director: Donald Mullord, Q.C.

The Battlefords Area Office

Main Floor, Provincial Building
1192 102nd Street
NORTH BATTLEFORD SK S9A 1E9
Phone 446-7700 FAX 446-7598
Toll Free: 1-877-441-4418
Legal Director: Janice Lawrence, Q.C.

Melfort Area Office

P.O. Box 6500
3rd Floor, 105 Crawford Avenue East
MELFORT SK S0E 1A0
Phone 752-6220 FAX 752-6127
Toll Free: 1-877-424-1901
Legal Director: Barry Treacy, Q.C.

Moose Jaw Area Office

#113 - 110 Ominica Street West
MOOSE JAW SK S6H 6V2
Phone 694-3700 FAX 694-3738
Toll Free: 1-877-424-1902
Legal Director: Mervyn Shaw, Q.C.

Yorkton Area Office

#301 - 120 Smith Street East
YORKTON SK S3N 3V3
Phone 786-1440 FAX 786-1405
Toll Free: 1-877-424-1904
Legal Director: David Bright

Regina Rural Area Office

#200 - 2400 College Avenue
REGINA SK S4P 2C5
Phone 787-1141 FAX 787-2316
Toll Free: 1-877-424-1906
Legal Director: David Andrews, Q.C.

Saskatoon City Family Legal Aid Area Office

#155 - Sturdy Stone Centre
122 Third Avenue North
SASKATOON SK S7K 2H6
Phone 964-2200 FAX 964-2222
Toll Free: 1-877-324-2200
Legal Director: Kelly Soder

Measures of Success

Defining Success – What is success for Legal Aid?

In 2008/09 the Board of Commissioners met to discuss how best to meet the mandates it had been charged with through the *Legal Aid Act*. With the primary concern of the Commission the “long term impact of the organization and achievement of results” the Board set out to define exactly what “success” looked like at Legal Aid. Using *The Legal Aid Act*, *Legal Aid Regulations*, and its own Governance Manual as touchstones, the Board has outlined four areas that, in their opinion, can articulate the success:

- A Client’s Ability to Access our Services
- The Quality and Perceived Quality of our Services
- Public Perception of our Services and Mandate
- A “Healthy Organization”

The Board has indicated that success in these four areas will mean the organization is best positioned to achieve its ultimate mandate: “to provide legal services to those that cannot afford them from their own means.”¹

Measuring Achievement – How do we know we are successful?

Articulating success is only the first part of a proper Board strategy, once defined we must also determine how we will measure our achievement. This is no small endeavour especially in a large service organization where results are not always tangible or immediate. Regardless, the articulation of success with no form of measurement is merely pontificating; measures must be added in order to ground our success in the day-to-day reality of the Legal Aid environment.

A complex environment deserves a complex of results. No single measure is descriptive of the total success; each one provides a piece of the puzzle. Some measures may provide larger pieces but all contribute to the whole. This is why the Board realized that a combination of quantitative and qualitative measures was needed to provide a more complete picture of success at Legal Aid. The more measures articulated the better, although the Board recognized that a balance must be maintained. In developing measures of success an organization must ensure that the resources needed to measure do not outweigh the benefits of measuring.

In selecting measures to report on, the Board came to the conclusion that they must be judged within the relative context of the other. To judge one on its merits alone would be unfair to the entire process. For example, feedback from clients is an important way to measure the success of the services provided – but it is only one way to understand if Legal Aid is successful. To rely on this feedback entirely would provide an incomplete picture, so would excluding it entirely. The Commission determined that the validity of a measure will be based on how it contributes to a more complete picture of success at Legal Aid.

¹ *The Legal Aid Act*, Saskatchewan, Dec. 2004

Articulating Actions – What are we going to do to help us succeed?

Through the development of its Governance Manual in 2007, the Board articulated that it is “concerned with the impact and achievement of results, not with [the] internal administration” of the organization. This was in recognition that the Board has hired a CEO and subsequently 160+ other staff to bring this vision of success to life. What this means is that although the Commission has articulated their definition of success and ways to measure it, how that success would be achieved is left in the hands of the people interacting with clients every day – the staff of Legal Aid. In 2008, approximately 80% of Legal Aid staff were involved in identifying specific actions that could assist in meeting these visions of success. At the time, approximately 25 actions were identified to move Legal Aid closer to success. While the long term vision usually remains static, actions are dynamic; evolving, concluding, and shifting as ideas are tested and environmental changes occur. These actions and their progress are listed here.

First Steps

As this is a new process we will be only able to provide information on actions taken this year. This first year will be an opportunity to collect the data for the measures indicated for presentation in next year’s Annual Report. The Commission has been presented with a strategy for doing so at its June 2009 meeting and looks forward to regular reports developed by Central Office.

As has been done previously, we are able to report upon the progress of actions outlined in the 2007/08 Annual Report. The Commission is aware that completing an action does not necessarily mean that that action contributed to the success of the organization. That is why this first year will be used to set our benchmarks against which all other years are measured. This will allow Legal Aid to see the impact these changing actions will have on our measures of success.

In absence of complete data on the measures, we have provided readers with highlights of some of actions that Legal Aid has undertaken this year. Quarterly reports on progress of all these actions can be found on the Legal Aid website at www.legalaid.sk.ca/publications.

Access to Services

We know Legal Aid is successful when those that need us the most can access our services consistently regardless of their circumstances.

Measures of Success – Access to Services

- Waiting Times for Clients to Connect with a Lawyer
- Number of Saskatchewan Residents Financially Eligible to Receive Services
- Number and Relative Proximity of Physical Access Points for Clients
- Number of Rejected Applications
- Appropriate Proportion of Family Law and Criminal Law Cases
- Client Satisfaction with Access to Services

2008/09 Actions For Success – Access to Services

- Review Boundaries of Area Offices to Ensure an Even Distribution of Court Points
- Partner with Similarly Mandated Organizations to Facilitate Client Access
- Contract Researcher to Assess Financial Eligibility Levels

PROGRESS HIGHLIGHT

Contract Researcher to Assess Financial Eligibility Levels

Thanks to the Law Foundation of Saskatchewan, Legal Aid has been able to hire economics professor and researcher Dr. David Ryan to review our financial eligibility levels. Dr. Ryan completed a review of the same nature for Legal Aid Alberta who recently received \$4.2 million for enhancements and changes to their financial eligibility policy.

The purpose of the review is to provide Legal Aid with a policy framework to make decisions about where its financial eligibility levels should be. As the experts in providing legal services to those in financial need, Legal Aid Saskatchewan should be the ones to recommend exactly who is most in need of our services. The idea is to use this information to make specific and pointed requests to the Government for funding by telling them with a greater degree of certainty the resources needed in order to serve those most in need.

Dr. Ryan currently has all the information needed from Legal Aid and Statistics Canada in order to move forward with his analysis. We have received a preliminary report in February 2009 and will have a final report by the publishing of this Annual Report, for review by the board at the fall 2009 meeting.

The Government is keenly aware of our initiative and, thanks to recently commissioned Access to Justice reports, is looking for some guidance on how to better support unrepresented litigants in Saskatchewan. This is no guarantee of more funding but between the Access to Justice Committee recommendations and our research, the environment for support in this area is encouraging.

Next steps for the report will be to discuss its recommendations and develop a policy position on Legal Aid's financial eligibility levels. It is hoped that his position will be used to more accurately request resources for any expansion of Legal Aid's financial eligibility.

Quality of Services

We know Legal Aid is successful when we consistently provide high quality service to each of our clients that is in line with our organizational values.

Measures of Success – Quality of Service

- Appropriate Number of Cases/Office
- Appropriate Level of Professional Development for Staff
- Number of Complaints/Accolades Received
- Average Years of Service of Staff
- Client Satisfaction with Quality of Service
- Peer Satisfaction with Perceived Quality of Service

2008/09 Actions for Success – Quality of Service

- Build the Case for More Articling/Summer Students
- Investigate Short Term Private Bar Contracts
- Design Floater Positions as Workload/Conflict Relief
- Develop a Strategic Staffing Plan
- Offer Accredited Professional Development, Specifically for Legal Aid
- Create an Information Sharing System Amongst Area Offices

PROGRESS HIGHLIGHT

Build Case for Hiring More Articling Students

Articling students assist in achieving success at Legal Aid in multiple ways. Firstly, they provide relief in offices as students do take on a caseload, albeit a reduced one, providing relief to offices that need it. As well, students serve as a pool of new recruits, easing junior lawyers into Legal Aid while providing them with the best orientation scenario possible – actual experience in our service environment.

Due to financial constraints, Legal Aid did not have articling students for a number of years until 2004/05 when federal funding through the Investment (Innovation) Fund allowed for four articling students to be hired. In 2008/09 the status quo budget was amended to include two articling students. Since 2004/05, Legal Aid has hired eight articling students half of which have stayed on in full-time positions.

Gail Douglas was a student who always knew she wanted to work for Legal Aid. She was “ecstatic” when she found out she would be articling at Legal Aid in 2006 and even more so when she started working full-time in our Meadow Lake office. Douglas appreciated her experience saying, “you realize how much you don’t know when you graduate – working as an articling student helps you get up to speed about the real world in a more tolerable manner”.

Alicia Kennedy, an articling student from 2007 and now full-time employee, agrees with Douglas. Kennedy says that as an articling student “you learn the fundamentals and are trained by some of the best criminal law minds in the province”. She believes that she received the “best criminal experience of anyone” in her year of call.

Discussions have occurred through the planning process and recommendations are that the Legal Aid Saskatchewan 2010/11 budget request includes funds for two additional articling students with the goal to increase this to three additional students in the following year, and four in the subsequent year. The end result would be that the current base of two articling student positions for Legal Aid contained in its status quo budget on an annual basis would increase to four in 2010/11 and further increase to six articling students by 2012/13.

Public Perception

We know that Legal Aid is successful when we are recognized as valuable, contributing members of our communities.

Measures of Success – Public Perception

- Community Involvement of Staff
- Public News Stories
- Public Awards and Accolades
- Contacts made with Targeted Community Organizations
- Public Knowledge/Perception of Legal Aid Saskatchewan

2008/09 Actions for Success – Public Perception

- New Visual Identity/Renaming to Legal Aid Saskatchewan
- Revamping of Annual Report
- Groundwork Laid for Development of a New External Website

The logo for Legal Aid Saskatchewan features the words "LegalAid" in a large, stylized serif font, with "SASKATCHEWAN" in a smaller, all-caps sans-serif font directly beneath it.

New Logo Created in 2008

PROGRESS HIGHLIGHT

New Name and Visual Identity

As part of an endeavor to focus on the organization's public perception, Legal Aid embarked on a rebranding exercise in 2008. The process began in Feb. of 2008 when staff across the organization were asked what messages they felt were most important to communicate to the general public. Staff identified five key messages to communicate, the most prominent being:

"We are professional, we are experts, and we are experienced at what we do."

Legal Aid began working with local communications firm, Synaptix, in order to develop a new visual identity that could embody this key message. In addition to exploring a new image a new name was also explored. Since the inception of the "Saskatchewan Legal Aid Commission" in 1983 the organization has grown and evolved. A new name was explored to help better distinguish the Board of Commissioners, as laid out in the Legal Aid Act, and the organization that the Commissioners have created to fulfill the mandate laid out in the Act.

After several drafts and much discussion, the result of the process yielded the new organizational name "Legal Aid Saskatchewan" as well as a new logo. Coinciding with the 35th anniversary of the previous logo and the 25th anniversary of the previous name, this process signals the beginning of a renewed commitment to public perception and greater connections with the communities that Legal Aid serves.

The name better aligns with other legal aid plans across the country (ie: Legal Aid Alberta, Legal Aid Manitoba, Legal Aid Ontario) as well as provides a less institutional identity to better connect with clients, partners, and the general public.

The new visual identity has been transitioned to all internal documents (business cards, stationery, envelopes) and will be used as part of an external campaign to connect with our client base and the public in general. In addition to educating key audiences about the types of services we offer, the plan is to use this new look to emphasize what many already know, that Legal Aid staff are some of the most professional and experienced experts in their field. It is anticipated that a campaign of this nature will have multiple effects on recruiting and retaining staff, educating and informing our client base, and assisting the general public in recognizing the value that Legal Aid brings to their communities.

Healthy Organization

We know that Legal Aid is successful when we are a healthy organization characterized by strong fiscal and resource management, employee wellness and leadership with vision for the future.

Measures of Success – Healthy Organization

- Budget-to-Actual Expenditure Variance
- Budgetary Value Compared to Other Provincial Legal Aid Plans
- Appropriate Staff Retention Rates
- Employee Absences/Engagement

2008/09 Actions for Success – Healthy Organization

Fiscal & Resource Management

- Develop a New Client Database for Legal Aid
- Organizational Wide Risk Management Strategy Approved and in Place
- Development of Comprehensive IT Security Policies

Employee wellness

- Staffing Plan (Retention Strategies)
- Research Health & Wellness Initiatives
- Explore Office Appearances Regularly

Leadership with Vision

- Eligibility Review with an Outcome of Developing a Policy Framework for Future Changes
- Organizational Wide Planning Process Developed with Actions Driven by Staff
- Development of Statistical Management Process to Better Allocate Resources

PROGRESS HIGHLIGHT

Client Database

With the financial assistance of the Law Foundation of Saskatchewan Legal Aid has been able to begin the arduous task of replacing its client database. As a tool that manages 25,000+ active cases a year, the Legal Aid database is an information network that allows staff to manage a client's file and cross reference that information to avoid conflicts of interest. With monies received from the Foundation, Legal Aid was able to assess its current system and seek out a partner to assist in creating a new system. After a lengthy process and receiving many expressions of interest, Legal Aid has hired a local Saskatchewan firm, Advanced Data Systems (ADS), to build a new client database.

The proposed database has the potential to fundamentally change the administration of our client data. More consolidated information about clients allows for lawyers to better understand their history with the ultimate outcome of better service. Quicker access to data will allow staff to spend less time looking for information and more time with the client. All this is possible because a new system will offer more versatility in data entry, wider uses for aggregate statistics, and greater secure access across the province. Given these potential changes, all staff have been asked for feedback on the systems requirements and support staff (the primary users of the system) have been intimately involved in its development. The project is slated for completion in March 2010.

Statistical Summaries

<i>Please Refer to Glossary</i>	2008-09	2007-08	2006-07	2005-06	2004-05
CLIENT SERVICES					
Applications Received ¹	23,179	21,765	22,585	23,801	23,184
Applications Refused Service	1,254	1,923	1,930	1,772	1,770
FULL SERVICE APPLICATIONS (OPENED CASES)					
Federal Criminal (Adult)	12,541	11,210	12,045	12,404	11,943
Federal Criminal (Youth)	3,413	3,464	3,192	3,183	2,955
Family	3,732	3,628	3,963	4,827	4,926
Civil	0	1	0	0	2
Provincial Offences	9	6	8	3	2
Total Full Service Applications	19,695	18,308	19,208	20,417	19,828
Cases assigned to the Private Bar: Federal Criminal (Adult & Youth)	1,764	1,320	1,085	939	1,078
Cases assigned to the Private Bar: Family	217	268	262	197	257
Total Cases Assigned to Private Bar	1,981	1,588	1,347	1,136	1,335
CLOSED CASES					
Federal Criminal (Adult)	10,754	11,119	11,440	11,700	10,956
Federal Criminal (Youth)	2,944	3,346	2,910	2,857	2,805
Family	2,935	3,463	3,980	4,775	3,797
Civil	0	1	0	1	1
Provincial Offences	7	8	6	3	2
Cases Closed by Staff	16,640	17,937	18,336	19,336	17,561
Cases Closed by the Private Bar	1,740	1,306	1,230	1,076	1,307
Total Closed Cases	18,380	19,243	19,566	20,412	18,868
OTHER SERVICES					
Duty Counsel (Advice)	12,352	12,040	11,509	13,469	12,518
Duty Counsel (Service)	3,512	3,275	3,134	3,091	3,349
Summary Service or Advice	5,078	5,649	5,236	5,231	4,711
Incoming Reciprocal Applications	70	68	63	60	66
Outgoing Reciprocal Applications	96	81	96	84	65
Appeals against Refused Applications	743	798	773	739	605
Appeals to the Civil Appeals Committee	7	3	7	9	3

¹ Numbers have been adjusted from previous years to accommodate a more accurate statistical process

Caseload by Area Office 2008-09

AREA OFFICE	Federal Criminal - Adult	Federal Criminal - Youth	Family	Civil	Provincial Office	Total Full Service Applications	Duty Counsel (Service)	Total Cases Closed	Summary Advice or Service	Duty Counsel (Advice)
Central	0	0	0	0	0	0	0	0	187	12141
Swift Current	159	71	107	0	0	337	0	300	149	37
South East	278	70	132	0	0	480	0	439	639	2
Saskatoon Rural	376	78	143	0	0	597	0	570	51	0
Melfort	392	130	108	0	0	630	0	601	50	49
Saskatoon City Family	0	0	696	0	0	696	0	477	306	6
Moose Jaw	365	128	248	0	4	745	0	564	250	58
Yorkton	728	249	205	0	1	1,183	0	1,097	81	32
Regina Rural	761	150	384	0	0	1,295	0	1,207	306	6
Meadow Lake	1,050	174	211	0	4	1,439	0	1,325	686	2
Northern	1,208	346	204	0	0	1,758	0	1,648	194	6
Battlefords	1,295	310	214	0	0	1,819	0	1,684	3	2
Regina City	1,538	450	712	0	0	2,700	1,450	1,481	1,175	3
Saskatoon City Criminal	2,175	742	0	0	0	2,917	2,062	2,860	2	0
Prince Albert	2,216	515	368	0	0	3,099	0	2,407	999	8
Total Full Service Applications	12,541	3,413	3,732	0	9	19,695				
Duty Counsel (Service)	3,512						3,512			
Total Closed Cases	10,754	2,944	2,935	0	7			16,640		
Summary Advice	2,758	218	1,933	107	62				5,078	
Duty Counsel (Advice)	10,012	1,937	5	1	397					12,352

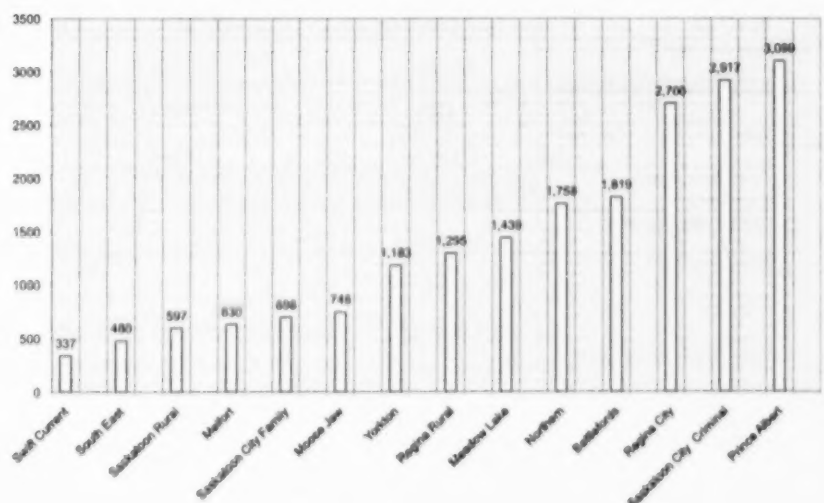
1 Referred to as the "Brydges" line and provided by private bar

for criminal law (both adults and youth and the duty counsel in Saskatoon and Regina) matters increased by 1280 cases or 8%.

- About 38% of the clients are female, 62% are male. In criminal matters, 74% were male and 26% female. In family matters, 21% were male and 79% were female.
- About 57% of applicants are receiving social assistance.
- Approximately 75% of full service applicants have identified themselves as of Aboriginal descent being 61% Status Indian, 2.7% Non-status Indian, 10.5% Metis, and 0.06% as Inuit.

- Most of the cases for which The Saskatchewan Legal Aid Commission grants full service applications are for federal criminal – adult matters (63.7%). This is followed by family matters (18.9%), and federal criminal youth matters (17.3%).
- The number of full service applications increased by 7.6% compared to the previous year.
- Compared to the previous year, the family law area increased by 105 cases or 2.8%, and service

New Full Service Applications by Area Office



Financial Overview

Sources of Funding

In 2008/2009, The Saskatchewan Legal Aid Commission received funding from three sources:

- Funds appropriated by the Provincial Government through the Ministry of Justice.
- Client contributions, costs awarded by the Court on behalf of clients, interest earned on monies invested, and miscellaneous receipts.
- Grants from the Law Foundation of Saskatchewan and the Legal Aid Endowment Fund Trust for special projects.

The Government of Canada reimbursed the Province for some of the legal

aid expenditures on federal criminal matters (adult and youth). The contribution agreement was renewed to March 31, 2009.

Distribution of Funding

In 2008/2009, The Saskatchewan Legal Aid Commission's budget of \$20.1 million was divided into the two general areas of direct legal service and administration. The table below shows the distribution.

Significant Pressures on the Commission's Budget

Increase in Case Complexity

While the number of adult criminal cases is declining across Canada, the average complexity of a case is increasing. Statistics Canada

includes three main factors in complexity:

- Cases with multiple charges,
- Number of court appearances per case, and
- Elapsed time from first to last court appearance.

Nationally speaking, all complexity factors are increasing across Canada. Statistics Canada states that "these factors likely played a significant role in the decline in the number of cases being completed in adult criminal courts over the last several years."¹ Simply put – cases may be declining but they are taking more time for the courts, and hence Legal Aid, to deal with.

As cases take more time, the total

¹ Statistics Canada, Juristat Vol 28, no. 5 – May 2008, p 7

	2007-08 Actuals (in \$000s)	2008-09 Planned (in \$000s)	2008-09 Actuals (in \$000s)	2009-10 Planned ¹ (in \$000s)
Operating Fund Revenue:				
Appropriation	\$18,596	\$19,865	\$20,315	\$20,959
Other	\$281	\$274	\$276	\$512
Total	\$18,877	\$20,139	\$20,591	\$21,471
Operating Fund Expenses:				
Direct Legal Service ²	\$16,669	\$18,059	\$18,221	\$19,022
Administration ³	\$2,337	\$2,317	\$2,191	\$2,726
Sub-total	\$19,006	\$20,376	\$20,412	\$21,748
Purchase of Capital Assets ⁴	\$141	\$93	\$83	\$175
Total	\$19,147	\$20,469	\$20,495	\$21,923
Operating Fund Excess (Deficiency) of Revenue over Expenditure	(\$270)	(\$330)	\$96	(\$452)

1 Actual results for 2008/09 may vary from planned expenditures for many reasons, some of which are mentioned previously under Significant Pressures on the Budget.

2 Direct Legal Service expenditures include salaries & benefits, travel, provision of legal services, and other legal expenses.

3 Administrative expenditures include accommodation, telephone, postage, stationery & office supplies, periodicals, photocopying, and other operating expenses.

4 Purchase of Capital Assets are included in the Operating Fund activities of the Commission. However, for financial reporting the purchases are recorded as an increase to Capital Asset costs on the Statement of Financial Position.

This chart does not include any adjustments made in the Investments in Capital Assets Fund.

Financial Overview

number of cases a lawyer can take on decreases. This requires more staff and also affects cases farmed out to private bar lawyers. Case complexity is beyond the control of Legal Aid yet must be accommodated in order to meet a mandate of timely access to justice.

Private Bar Appointments

Although Legal Aid enjoys an above average employee retention rate (95%), given Legal Aid's internal bidding environment, one job posting may result in several shifts in the system. This leaves the real-time problem of one posting resulting in multiple months of vacancies accumulated over a fiscal year. Despite deferred salary leaves, unexpected illness, and other leaves, Legal Aid found itself full staffed in January of 2009 and remained so until the end of the fiscal year. Although too early to tell for the purposes of this report, a downward trend has been observed as it relates to private bar use.

Offsetting this expected reduction in private bar use, Legal Aid Saskatchewan altered its *Regulations* in 2008 to waive financial eligibility requirements for all youth charged under the *Youth Criminal Justice Act*. Regardless of financial circumstances, youth may access our services if so desired. Since Legal Aid was unable to accurately predict the results of these changes, it was decided that all youth who would have otherwise not qualified for our services under the previous *Regulations* would be farmed out to private bar. The result of that process resulted in 513 new clients

accessing Legal Aid services, most of whom were then farmed out to private bar lawyers.

Without these new youth cases, Legal Aid would have seen a reduction in private bar use by about 120 cases (about 8%). Including the youth cases, a net increase of 393 cases (or about 22%) occurred. Over the next fiscal year, Legal Aid plans to transition these "new" youth cases into the staff based system by using monies received from Justice to enhance the current staff complement. Despite planning efforts, private bar use still remains the most volatile component of Legal Aid's budget. This is due to

the inability to predict vacancies, how many conflicts may arise, and any significant increases to caseload.

Changes in Legislation or Supreme Court Decisions

A change in legislation or policy in any area of law, including changes to the Criminal Code and Supreme Court decisions, often has significant impact on the demand for and cost of service.

Financial & Other Resources

	2008-09	2007-08	2006-07	2005-06	2004-05
Operating Fund Revenue	\$20,590,959	\$18,876,938	\$17,570,684	\$16,341,973	\$14,435,079
Operating Fund Expenses ¹	\$20,494,602	\$19,146,788	\$16,934,950	\$16,631,053	\$14,468,341
Operating Fund (Deficiency) of Revenue over Expenditures	\$96,357	(\$269,850)	\$635,725	(\$289,080)	(\$33,262)
Investment in Capital Assets Fund	\$376,539	\$284,337	\$223,196	\$206,480	\$197,280
Unrestricted Assets, end of year	\$392,146	\$205,789	\$475,639	(\$180,096)	\$129,984
Contribution of the Federal Government - Adult Criminal and Young Offenders ²	\$4,202,560	\$4,202,560	\$2,825,457 plus Investment Fund \$1,391,259 Total \$4,216,716	\$2,815,712 plus Investment Fund \$1,391,259 Total \$4,206,971	\$2,826,056 plus Investment Fund \$ Total \$4,695,785
Per Capita Expenditures on Legal Aid	\$20.19	\$19.02	\$17.15	\$16.71	\$14.54
Number of members of the Private Bar actively involved in providing services under The Legal Aid Act	132	164	132	137	124

1 The Operating Fund Expenses represent the operating fund activities which include expenses for Direct Legal Service, Administration and purchase of capital assets.

2 According to Saskatchewan Justice records.

Audited Statements

Management's Responsibility for the Financial Statements

Management is responsible for the integrity of the financial information reported by The Saskatchewan Legal Aid Commission. Fulfilling this responsibility requires the preparation and presentation of financial statements and other financial information according to generally accepted accounting principles. These recommendations are consistently applied, with any exceptions specifically described in the financial statements.

The accounting systems used by the Commission include an appropriate system of internal controls to provide reasonable assurance that:

- transactions are authorized;
- the Commission's assets are properly kept and financial reports are properly monitored to ensure reliable information is provided for preparation of financial statements and other information;

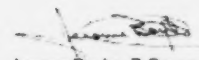
- the accounts are properly kept and financial reports are properly monitored to ensure reliable information is provided for preparation of financial statements and other financial information.

To ensure management meets its responsibilities for financial reporting and internal control, the members of The Saskatchewan Legal Aid Commission discuss audit and reporting matters with representatives of management at regular meetings. The members of the Commission have also reviewed the financial statements with representatives of management.

The Provincial Auditor of Saskatchewan has audited The Saskatchewan Legal Aid Commission's statement of financial position as at March 31, 2009, and the statement of operations and changes in the fund balances, and cash flows for the year then ended. Their responsibility is to express an opinion on the fairness of management's financial statements. The Auditor's Report outlines the scope of their audit and their opinion.

Allan T. Snell, Q.C.
Chief Executive Officer

Saskatoon, Saskatchewan
June 19, 2009



Jerome Boyko, B.Comm., CA,
Director of Finance

AUDITOR'S REPORT

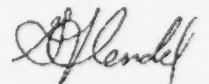
To the Members of the Legislative Assembly of Saskatchewan

I have audited the statement of financial position of The Saskatchewan Legal Aid Commission as at March 31, 2009 and the statements of operations and changes in fund balances, and cash flows for the year then ended. The Commission's management is responsible for preparing these financial statements for Treasury Board's approval. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Commission as at March 31, 2009 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Regina, Saskatchewan
June 19, 2009



Fred Wendel, CMA, CA
Provincial Auditor

THE SASKATCHEWAN LEGAL AID COMMISSION
STATEMENT OF FINANCIAL POSITION
As at March 31

	<u>2009</u>	<u>2008</u>
ASSETS		
Current		
Cash	\$ 1,615,302	\$ 1,619,271
Accounts receivable	219,222	87,246
Prepaid expense	<u>165,850</u>	<u>126,799</u>
Total current assets	2,000,374	1,833,316
Capital assets (Note 6)	<u>276,539</u>	<u>284,337</u>
	<u>\$ 2,276,913</u>	<u>\$ 2,117,653</u>
LIABILITIES		
Current		
Accounts payable and accrued liabilities (Note 7)	\$ 1,626,739	\$ 1,563,864
Deferred contributions (Note 8)	<u>71,489</u>	<u>63,663</u>
Total current liabilities	<u>1,698,228</u>	<u>1,627,527</u>
FUND BALANCES		
Investment in capital assets fund	276,539	284,337
Operating fund - unrestricted	<u>302,146</u>	<u>205,789</u>
	<u>578,685</u>	<u>490,126</u>
	<u>\$ 2,276,913</u>	<u>\$ 2,117,653</u>

(See accompanying notes)

THE SASKATCHEWAN LEGAL AID COMMISSION
STATEMENT OF OPERATIONS AND CHANGES IN FUND BALANCES
Year Ended March 31

	2009			2008	
	Operating Fund Budget (Note 12)	Operating Fund Actual	Investment in Capital Assets Fund Actual	Total	Total
Revenue:					
Ministry of Justice	\$ 19,865,000	\$ 20,315,000	\$ ---	\$ 20,315,000	\$18,596,000
Grants (Note 8)	88,600	149,485	---	149,485	77,587
Other	185,187	126,474	---	126,474	203,351
	<u>20,138,787</u>	<u>20,590,959</u>	<u>---</u>	<u>20,590,959</u>	<u>18,876,938</u>
Expenses:					
Salaries and employee benefits	14,697,707	14,427,284	---	14,427,284	13,416,606
Central Office administrative (Schedule 1)	575,468	583,538	10,935	594,473	677,743
Area Office administrative and operating expenses (Schedule 1)	1,741,401	1,607,590	62,945	1,670,535	1,728,094
Provision of legal services	2,549,500	2,936,150	---	2,936,150	2,521,617
Other legal expenses	220,500	212,933	---	212,933	212,308
Travel	592,000	644,430	---	644,430	518,326
Loss on disposal of fixed assets	---	---	16,595	16,595	10,923
	<u>20,376,576</u>	<u>20,411,925</u>	<u>90,475</u>	<u>20,502,400</u>	<u>19,085,617</u>
(Deficiency) excess of revenue over expenses	(237,789)	179,034	(90,475)	88,559	(208,679)
Fund Balances, beginning of year	205,789	205,789	284,337	490,126	698,805
Transfer between funds (Note 13)	(93,000)	(82,677)	82,677	---	---
Fund Balances, end of year	<u>\$ (125,000)</u>	<u>\$ 302,146</u>	<u>\$ 276,539</u>	<u>\$ 578,685</u>	<u>\$ 490,126</u>

(See accompanying notes)

THE SASKATCHEWAN LEGAL AID COMMISSION
STATEMENT OF CASH FLOWS
As at March 31

	<u>2009</u>	<u>2008</u>
Cash provided by (used in)		
OPERATING ACTIVITIES		
Appropriation funds received	\$ 20,165,000	\$18,596,000
Cash received from grants	188,311	76,500
Cash received from other income	93,991	191,672
Cash payments for salaries and benefits	(14,400,997)	(13,781,192)
Cash payments for other suppliers	(2,890,255)	(3,225,565)
Cash payments for legal services	<u>(3,077,342)</u>	<u>(2,062,828)</u>
Net cash provided by (used in) operating activities	78,708	(205,413)
INVESTING ACTIVITIES		
Purchase of capital assets	<u>(82,677)</u>	<u>(140,947)</u>
Net decrease in cash	(3,969)	(346,360)
Cash, beginning of year	<u>1,619,271</u>	<u>1,965,631</u>
Cash, end of year	<u>\$ 1,615,302</u>	<u>\$ 1,619,271</u>

(See accompanying notes)

THE SASKATCHEWAN LEGAL AID COMMISSION
NOTES TO THE FINANCIAL STATEMENTS
March 31, 2009

The Legal Aid Act came into force on September 1, 1983 by Order in Council 1275/83 and continued The Saskatchewan Community Legal Services Commission as a body corporate under the name of The Saskatchewan Legal Aid Commission (Commission). The purpose of the Commission is to provide legal services to persons and organizations for criminal and civil matters where those persons and organizations are financially unable to secure those services from their own resources.

1. Significant Accounting Policies

These financial statements have been prepared in accordance with Canadian generally accepted accounting principles for not for profit organizations and include the following significant accounting policies:

a) Fund Accounting

The Commission follows the restricted fund method of accounting for contributions. For financial reporting purposes, the following major funding groups are:

Operating Fund (unrestricted assets)

The Operating Fund reflects the primary operations of the Commission including revenue from the Ministry of Justice for the provision of legal services.

Investment in Capital Assets Fund (internally restricted assets)

Investment in Capital Assets Fund reflects the equity of the Commission in capital assets. This fund includes any grants designated for the acquisitions of capital assets. The Commission also imposes a restriction that any capital purchase made with operating funds is recorded as an interfund transfer. Expenses consist primarily of amortization of capital assets.

b) Capital Assets

Capital assets are recorded at cost. Normal repairs and maintenance are expensed as incurred. The capital assets are reduced annually by an amount representing the consumed cost of the asset calculated as follows:

Office Equipment and Furniture	14 2/7% per annum
Library	33 1/3% per annum

c) **Revenues**

The following are included in revenue:

- i) Unrestricted contributions are recognized as revenue of the operating fund in the year received or receivable.

Other revenue is comprised of client contributions, cost recoveries, interest, and miscellaneous receipts.

- ii) Restricted contributions related to capital assets are recognized as revenue of the investment in capital assets fund in the year received or receivable.

d) **Financial Instruments**

The Commission classifies its financial instruments into one of the following categories: 1) held-for-trading, 2) loans and receivables, and 3) other financial liabilities.

All financial instruments are measured at fair value upon initial recognition. Cash is classified as held-for-trading and is measured at the fair value with changes in fair value recognized in net income. Accounts receivable are classified as loans and receivables and are measured at amortized cost. Accounts payable and accrued liabilities are classified as other financial liabilities and are measured at amortized cost. Unrestricted contributions are recognized as revenue of the operating fund in the year received or receivable.

The Commission does not have any embedded derivatives in host contracts.

2. Change in accounting policy

Effective April 1, 2008, the Commission adopted Canadian Institute of Chartered Accountants Section 3862, "Financial Instruments – Disclosures," Section 3863 – "Financial Instruments – Presentation," and Section 1535 – "Capital Disclosures." Section 3862 provides standards for disclosure of risks arising from financial instruments to which the Commission is exposed and how it manages those risks. Section 3863 provides standards for presentation of financial instruments and non-financial instrument derivatives. Section 1535 requires the disclosure of information about the Commission's capital (debt and fund balances) and how it is managed. The required disclosures for the above sections are outlined in notes 1, 3, and 4.

3. Financial Risk Management

The management of the Commission mitigates the risks associated with financial instruments with regular reporting to the members of the Commission.

Credit Risk:

Credit risk is the risk that one party to a transaction will fail to discharge an obligation and cause the other party to incur a financial loss. The Commission's exposure to credit risk is from the potential of non-payment of grants or accounts receivable. The credit risk on the receivables is not material as most grants are paid from the provincial appropriations and the other receivables are comprised of small amounts from contributions from clients.

Liquidity Risk:

Liquidity risk is the risk that the Commission is unable to meet its financial commitments as they become due. The Commission manages the liquidity risk from the monthly appropriations it receives from the Saskatchewan Ministry of Justice.

Market Risk:

Market risk represents the potential for loss from changes in the value of financial instruments due to changes in the market conditions. The Commission does not have any exposure to market risk.

4. Capital Management

The Commission's objective when managing its fund balances is to ensure adequate funding exists to support the operations and growth strategies of the Commission.

The Commission obtains its funding from provincial appropriations through the Ministry of Justice. The Commission capital structure consists of two major funding groups that are outlined in note 1 a). The Commission does not have any debt.

The Commission monitors and assesses its financial performance by a monthly variance analysis of actual and yearly projections to approved budget. The budget and variance analysis is approved by the members of the Commission. The management of the Commission also provide an appropriation forecast to the Ministry of Justice.

5. Pension Plan

The Commission participates in a defined contribution pension plan for the benefit of its employees. The Commission's financial obligation to The Staff Pension Plan for Employees of The Saskatchewan Legal Aid Commission (Plan) is limited to making regular payments to match the amounts contributed by the employees for current service. The Commission's annual pension expense for 2009 amounted to \$665,707 (2008 - \$597,425).

The Plan is administered and sponsored by a joint trustees arrangement. The joint trustees consist of four members, two appointed by the Commission and two appointed by C.U.P.E. Local 1949. The Commission provides day-to-day administration for the Trustees without charge to the Plan.

6. Capital Assets

Capital assets are comprised of the following amounts:

	2009			2008		
	Cost	Accumulated Amortization	Net Book Value	Cost	Accumulated Amortization	Net Book Value
Office equipment and furniture	\$ 840,553	\$ 568,457	\$272,096	\$ 850,257	\$ 573,201	\$ 277,056
Library	<u>548,367</u>	<u>543,924</u>	<u>4,443</u>	<u>907,799</u>	<u>900,518</u>	<u>7,281</u>
	<u>\$ 1,388,920</u>	<u>\$ 1,112,381</u>	<u>\$276,539</u>	<u>\$1,758,056</u>	<u>\$ 1,473,719</u>	<u>\$ 284,337</u>

7. Accounts Payable and Accrued Liabilities

	2009	2008
Supplies and services	\$ 209,317	\$ 79,352
Accrued private solicitors' fees	1,073,348	1,214,541
Employee salaries and benefits	<u>344,074</u>	<u>269,971</u>
	<u>\$ 1,626,739</u>	<u>\$ 1,563,864</u>

8. Deferred Contributions

Deferred operating contributions represent grants and externally restricted contributions for which the related expenditures have not been incurred.

	2009	2008
Balance, beginning of year	\$ 63,663	\$ 68,500
Add: Grant contributions received or receivable in the year		
Law Foundation of Saskatchewan	120,110	---
Law Foundation of Saskatchewan Legal Aid Endowment Fund Trust	37,201	72,750
Less: Amounts recognized as revenue in the year	<u>(149,485)</u>	<u>(77,587)</u>
Balance, end of year	<u>\$ 71,489</u>	<u>\$ 63,663</u>

9. Measurement Uncertainty

The preparation of financial statements in accordance with Canadian generally accepted accounting principles requires management to make estimates and assumptions on accrued private solicitors' fees that affect the reported amount of accounts payable and accrued liabilities at the date of the financial statements and the reported amount of expenses during the reported period. These estimates are reviewed periodically and, as adjustments become necessary, they are reported in earnings in the period in which they become known.

10. Related Party Transactions

Included in these financial statements are transactions with various Saskatchewan Crown corporations, ministries, agencies, boards and commissions related to the Commission by virtue of common control by the Government of Saskatchewan and non-Crown corporations and enterprises subject to joint control or significant influence by the Government of Saskatchewan (collectively referred to as "related parties").

Facilities, vehicle rentals, office supplies, and miscellaneous office services are acquired from a related party. These transactions are recorded at rates, which are determined

primarily on the basis of recovery of the costs incurred by the related party. These transactions and amounts outstanding at year end are as follows:

	2009	2008
Expenses	\$ 1,376,954	\$ 1,468,443
Accounts payable	15,328	26,297
Accounts receivable	150,000	---

Other operating transactions with related parties are settled at prevailing market prices under normal trade terms. These transactions and amounts outstanding at year end are as follows:

	2009	2008
Expenses	\$ 367,342	\$ 655,674
Other Revenue	8,219	20
Accounts payable	68,148	792

In addition, the Commission pays Provincial Sales Tax on all its taxable purchases. The Commission also received transcripts without charge from the Ministry of Justice, Transcript Services.

During the year, the Commission made payments of \$114,742 (2008 - \$102,242) to the Saskatchewan Legal Aid Commission Benefit Plan Surplus Fund that is set up under the collective bargaining agreement between C.U.P.E. 1949 and the Commission. As outlined in the agreement, the fund is jointly administered by the Commission and the Union through the Labour management Relations Committee. The Commission provides the Fund with day-to-day administration. The intent of this fund is to cover increased premium costs of the extended health care benefits for members of C.U.P.E. Local 1949. The increased premium costs are initially paid by the Commission and for the year the Fund reimbursed the Commission \$111,833 (2008 - \$98,048) for the increased premium costs. The balance of this account is \$101,893 (2008 - \$96,604) and these amounts are not included on the Commission's statement of financial position.

Other transactions with related parties and amounts due to or from them are described separately in these financial statements and the notes thereto.

11. The Law Foundation of Saskatchewan Legal Aid Endowment Fund Trust

A Trust Deed exists between the Law Foundation of Saskatchewan and the Trustees of The Law Foundation of Saskatchewan Legal Aid Endowment Fund Trust (Trust). The Trust has been established with an endowment to assist in the Commission's mandate by:

- improving access to justice for persons whose own financial resources are inadequate;
- enhancing the ability of all Commission employees to provide legal aid service to clients, including education, research and the acquisition of research, teaching and library materials by the Commission;
- providing funds for research in legal and social areas related to legal aid and access to

- justice; or
- d) assisting otherwise in the Commission's mandate in ways not traditionally covered by government funding, and with particular emphasis on novel or innovative programs or delivery methods.

An endowment amount of \$1,100,000 has been provided to the Trust and only the net income from the Trust is available for the beneficiaries. During the year the Trust provided cash to the Commission for approved grants in the amount of \$37,201 (2008-\$72,750). The Trust has approved grants which are recorded as accounts receivable by the Commission at year end in the amount of \$33,750 (2008-\$64,750).

The Trust has five trustees, three of which are members of the Commission. They include:

- The Chair of The Saskatchewan Legal Aid Commission
- A commissioner of The Saskatchewan Legal Aid Commission, appointed by the Law Society of Saskatchewan
- A commissioner of The Saskatchewan Legal Aid Commission, appointed by the Minister of Justice (Saskatchewan)

The Commission has authorized the utilization of its staff as may be reasonably required from time to time to provide administrative support to the Trust at no fee.

12. Budget

These amounts represent the operating budget approved by members of The Saskatchewan Legal Aid Commission.

13. Interfund Transfers

The Commission internally restricted and transferred from the Operating Fund to the Investment in Capital Assets Fund \$82,677 (2008 - \$140,947) for the purchase of capital assets.

14. Comparative Figures

Certain balances have been reclassified to conform with current year's presentation.

THE SASKATCHEWAN LEGAL AID COMMISSION
SCHEDULE OF ADMINISTRATIVE AND OPERATING EXPENSES
Year Ended March 31

	<u>2009</u>		<u>2008</u>
		Operating	Operating
	<u>Budget</u>	Fund <u>Actual</u>	Fund <u>Actual</u>
Central Office Administrative			
Leased accommodation	\$ 125,616	\$ 103,464	\$ 281,611
Computer leases, maintenance, and support	75,534	80,248	80,543
Telephone	19,460	14,708	19,821
Postage	20,800	22,411	21,952
Stationery and office supplies	11,700	10,494	11,155
Periodicals	6,300	5,515	5,987
Photocopying	3,800	2,919	3,040
Expenses related to Endowment			
Grant revenue	63,600	54,165	77,587
Expenses related to Law Foundation			
Grant revenue	---	95,320	---
Other operating expenses	<u>248,658</u>	<u>194,294</u>	<u>164,252</u>
Total Central Office Administrative	<u>\$ 575,468</u>	<u>\$ 583,538</u>	<u>\$ 665,948</u>
Area Office Administrative and Operating Expenses			
Leased accommodation	\$ 1,080,768	\$ 968,286	\$ 1,027,657
Computer leases, maintenance, and support	190,966	154,946	175,184
Telephone	115,540	126,188	113,767
Postage	37,200	33,259	32,905
Stationery and office supplies	103,300	91,319	95,425
Periodicals	37,700	34,133	28,827
Photocopying	38,200	33,990	37,768
Other operating expenses	<u>137,727</u>	<u>165,469</u>	<u>159,503</u>
Total Area Office Administrative and Operating Expenses	<u>\$ 1,741,401</u>	<u>\$ 1,607,590</u>	<u>\$ 1,671,036</u>

Application

Refers to a formal written request for legal assistance. Related legal matters enumerated at the time of application are included on one application, despite the requirement for a court appearance. Separate applications are counted for criminal, family, civil or provincial offence matters.

Appeal

Refers to an appeal of a lower court or administrative tribunal decision, not an appeal of a refused application.

Appeal against refusal

Refers to an appeal of a refused application for legal services.

Civil matters

Refers to all other civil proceedings that are not of a family nature.

Contribution

Refers to that portion of the costs of legal services that an applicant, client, former client or other person may be required to pay.

Coverage or range of service restrictions

Refers to applications refused because the legal matter is not covered by The Saskatchewan Legal Aid Commission.

Duty Counsel service

Refers to legal services provided by a lawyer at a location other than a legal aid office, where the person assisted had not applied in writing requesting legal aid services.

Duty Counsel (Advice)

Immediate, although temporary advice by telephone to arrested or detained persons, irrespective of financial status (per the Brydges decision of the Supreme Court of Canada).

Family matters

Refers to proceedings related to divorce, separation, maintenance, custody/access, and other matters of a family law nature.

Federal criminal matters (adult)

Refers to applications for matters under the Criminal Code of Canada, Narcotic Control Act, Food and Drug Act, or other Federal Statutes if the proceedings are by way of indictment; or, if upon conviction and sentence, there is a likelihood of imprisonment or loss of livelihood.

Federal criminal matters (youth)

Refers to applications for matters under the Youth Criminal Justice Act.

Financial ineligibility

Refers to reasons for refusing an application based on some financial information revealed by the applicant about income, assets and liabilities.

Full service application

Refers to an application that is granted legal services.

Full Time Equivalent (FTE)

Refers to a statistical number that takes into account the number of total hours worked by all employees divided by the maximum number of compensable hours in a work year.

Interprovincial reciprocity agreement

Refers to the informal agreement among Legal Aid Plans in Canada to handle nonresident civil matters. Applicants must request legal services in the province/territory of home, rather than in the province/territory where the legal recourse is sought.

Merit, lack of

Refers to applications refused because the nature of the case or the seriousness of the matter does not warrant legal assistance.

Merit, professional

Some or all of the following are considered:

- is this case one that a reasonable person of modest means would commence or defend?
- are the legal costs of commencing or defending an action reasonable compared with the relief asked for?
- what is the seriousness of the legal or economic outcomes?
- what are the potential benefits to the client?
- is there a possible defence to a charge?
- has the client been cooperative, such as keeping appointments, keeping in touch with the office after a move, etc.?
- has the client accepted reasonable professional advice from the assigned lawyer?

Non-compliance/abuse

Refers to refusals based on an applicant's prior or current experience with The Saskatchewan Legal Aid Commission. Included are applications where the services applied for are abusive of the legal process or failure to cooperate with the lawyer.

Provincial offence matters

Refers to applications for matters under provincial statutes, such as Alcohol Control Act, Wildlife and Parks Act, or Highway Traffic Act.

Range of service or coverage restrictions

Refers to applications refused because the legal matter is not covered by The Saskatchewan Legal Aid Commission.

Reciprocal application

See Interprovincial reciprocity agreement. Incoming refers to those applications coming from other jurisdictions, while Outgoing refers to those Saskatchewan sends out.

Refused application

Refers to all formal written requests for legal aid that have been denied legal services due to financial ineligibility, lack of merit or range of service or coverage restrictions.

Summary advice or service

Refers to the provision of legal advice, information, or any other type of minimal legal service to an individual involving no more than a brief interview or telephone call.

